

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.36223-M of 2007

.....

Date of decision:30.5.2007

Harinder Singh

.....Petitioner

v.

State of Punjab and others

.....Respondents

....

Present: Mr. G.P.S. Bal, Advocate for the petitioner.

.....

**S.S. Saron, J.** (Oral)

This petition has been filed under Section 482 Cr.P.C. for directing respondents No.1 to 3 to register a case (FIR) against respondents No.4 and 5 under the relevant provisions of law which may be found to have been attracted in the facts and circumstances of the present case. A further direction has been sought to respondents No.4 and 5 to immediately return the J.C.B. bearing registration No.PB-12H-6682 after accepting the balance loan amount from the petitioner, either in instalments or in lump-sum.

After hearing learned counsel for the petitioner and perusing the record, it is appropriate to note that the petitioner has an alternative remedy of filing a criminal complaint. There are disputed questions of fact involved in the case. This Court in exercise of its inherent jurisdiction under Section 482 Cr.P.C. is not to go into the veracity of facts on the basis of which the allegations have been made. Therefore, the petitioner may

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avail the alternative remedy in the first instance.

The present petition is dismissed being premature.

May 30, 2007.

**(S.S. Saron)**  
**Judge**

\*hsp\*